

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ZYNGA GAME NETWORK, INC.,

No. C-09-3636 SC (EMC)

Plaintiff,

v.

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION TO SHORTEN TIME**

GREEN PATCH, INC.,

(Docket No. 36)Defendant.

Zynga has filed a motion for a protective order which it seeks to have heard on shortened time. More specifically, Zynga asks that its motion for a protective order be briefed and ruled upon prior to September 23, 2009, when depositions of Green Patch are slated to take place. The Court hereby **GRANTS** in part and **DENIES** in part the request for shortened time.


The request is denied to the extent that Zynga asks for briefing and a ruling prior to September 23. Zynga has made an insufficient showing that it is necessary for its in house counsel to be privy to all documents produced for the Green Patch depositions. The Court notes that many of the documents that have been produced seem to be technical documents (*e.g.*, source code, product development records). There is no showing that in house counsel has a technical background (as opposed to, *e.g.*, an expert) that would thus make her review of these documents critical. The Court also notes that, if it were in fact urgent that in house counsel be privy to the documents in advance of the depositions, then Zynga likely would have brought this issue to the Court sooner. Zynga's papers reflect that there was a dispute between the parties as of September 4 but Zynga did not bring the motion for a protective order until almost two weeks later.

1 The Court, however, shall shorten the briefing schedule and hearing date for Zynga's motion
2 for a protective order since in house counsel may have a role in helping prepare the preliminary
3 injunction motion (*i.e.*, after the depositions have taken place). The motion for a protective order
4 shall be heard on **September 30, 2009, at 10:30 a.m.** Green Patch shall file an opposition to the
5 motion for a protective order by September 23, 2009, and Zynga shall file a reply brief by
6 September 25, 2009.

7 This order disposes of Docket No. 36.

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9 IT IS SO ORDERED.

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11 Dated: September 18, 2009

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13 EDWARD M. CHEN
14 United States Magistrate Judge
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